

REMARKS

I. Status of the Application

Claims 1-42 are all the claims pending in the application, with claims 1, 11-12, and 28 being in independent form. Claims 1-3, 5-7, 9-12, 14-20, 24, and 26-27 have been rejected.

II. Allowable Subject Matter

As an initial matter, Applicants note that the Office Action dated March 17, 2004 is internally inconsistent. Specifically, the Examiner has indicated on the Office Action Summary Form PTOL-326 that claims 21-23 and 28 are objected to. However, on page 5 of the Office Action, the Examiner indicates that claim 28 is allowable, and that claims 29-42 are allowed due to their dependency on claim 28. Therefore, according to the most plausible interpretation of the grounds of rejection, the Examiner has indicated that claims 28-42 are allowed.

Applicants also thank the Examiner for indicating that claims 4, 8, 13, 21-23, and 25 would be allowed if rewritten in independent form. However, Applicant respectfully requests that the Examiner hold in abeyance such rewriting until the Examiner has had an opportunity to reconsider (and withdraw) the prior art rejection of the other claims.

III. Claim Rejections under 35 U.S.C. §102

The Examiner has rejected claims 1-3, 5-7, 9-12, 14-20, 24, and 26-27 under 35 U.S.C. § 102(e) as being anticipated by US PUB 2003/0126195 A1 to Reynolds *et al.* ("Reynolds"). This rejection is respectfully traversed for *at least* the reasons set forth below.

According to the MPEP, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art

reference.” MPEP § 2131. Applicants respectfully submit that claims 1-3, 5-7, 9-12, 14-20, 24, and 26-27 positively recite limitations which are not disclosed (or suggested) by Reynolds.

A. Independent Claim 1

As an initial matter, the grounds of rejection have not responded to the arguments set forth specifically at pages 40-41 of the Amendment filed on November 20, 2003. However, MPEP §707.07(f) requires that “[w]here the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant’s argument and answer the substance of it.” In contrast to the requirements of MPEP §707.07(f), the grounds of rejection have not responded to Applicants’ arguments that Reynolds fails to disclose or suggest sending master-slave status information about at least one of the first clock signal and the second clock signal, as recited in claim 1. To the contrary, the grounds of rejection merely contain the sweeping assertion that “the claimed invention can be broadly interpreted to read upon the prior art of record,” without providing any substantive explanation whatsoever. Accordingly, those arguments remain unrebutted by the Examiner, and independent claim 1 is allowable *at least* for those reasons previously of record.

Specifically, in contrast to the requirements of Applicants’ claim 1, Reynolds discloses nothing more than sending hardware identification information from its MCD Slave 39a to its MCD Master 38 (specifically, “a card type and a version number”). *See* page 36, paragraph 0363. Accordingly, Reynolds does not disclose sending status information regarding whether a given clock signal has been designated as a master or a slave.

Further, Reynolds discloses that this hardware identification information passed from MCD Slave 39a to MCD Master 38 is about central processor card 12, and not about at least one

of the first clock signal and the second clock signal, as recited in claim 1. *See* page 36, paragraph 0363. In particular, Reynolds discloses that MKI 50 starts MCD Slave 39a and, then, MCD Slave 39a reads “a card type and version number” out of local persistent storage and sends this information to MCD Master 38. *See* page 36, paragraph 0363.

Clearly, the “card type and version number” disclosed in Reynolds is hardware identification information about central processor card 12. *See* page 36, paragraph 0363. In fact, this “card type and version number” disclosed in Reynolds cannot be information “about at least one of the first clock signal and the second clock signal,” as recited in claim 1, because clock signals would not have card types or version numbers. As a result, Reynolds does not disclose, and is incapable of suggesting, sending master-slave status information about at least one of the first clock signal and the second clock signal, as recited in claim 1.

In further contrast to the requirements of MPEP §707.07(f), the Examiner has not responded to the arguments set forth specifically at pages 42-43 of the Amendment filed on November 20, 2003, that Reynolds fails to disclose selecting, as a function of the master-slave status information, the first or second clock signal as a master synchronization signal, as recited in claim 1. Accordingly, those arguments remain unrebutted by the Examiner, and independent claim 1 is allowable for those reasons previously of record.

Particularly, in contrast to the limitations positively recited in Applicants’ claim 1, Reynolds discloses that its MCD Master 38 takes a physical inventory of computer system 10 and assigns a unique physical identification number (“PID”) to each item. *See* page 36, paragraph 0364. Thus, even if the information sent from MCD Slave 39a to MCD Master 38, as disclosed in Reynolds, were master-slave status information, which Applicants firmly submit

that it is not, Reynolds nevertheless fails to disclose that its MCD Master 38 selects, as a function of the card type and version number it receives, a first or a second clock signal.

In fact, Reynolds discloses that the PID is a logical number unrelated to any physical aspect of the component being numbered. *See* page 36, paragraph 0365. Accordingly, the PID disclosed in Reynolds cannot possibly be selected as a function of the master-slave status information because, as disclosed in the Specification of the present application, the master-slave status information is related to the physical aspects of the first clock signal or the second clock signal. For example, the master-slave status may be related to the clock signal operating with a higher degree of precision. *See* Specification at page 3, lines 30-34. In fact, Reynolds does not disclose selecting any clock signal whatsoever. To the contrary, Reynolds discloses nothing more than assigning a unique PID to each item of computer system 10. *See* page 36, paragraph 0365.

Therefore, Applicants respectfully submit that independent claim 1 is not anticipated by (i.e., is not readable on) Reynolds for *at least* these reasons. Further, Applicants respectfully submit that the dependent claims 2-3, 5-7, 9-10, 19, and 24, are allowable over Reynolds *at least* by virtue of their dependency on claim 1. Accordingly, Applicants respectfully request that the Examiner withdraw these rejections.

B. Independent Claim 11

Contrary to the requirements of MPEP §707.07(f), the Examiner has not responded to the arguments set forth specifically at pages 43-44 of the Amendment filed on November 20, 2003, that that Reynolds does not disclose a selection means for selecting a first or second clock signal

as a master synchronization signal, as recited in claim 11. Accordingly, those arguments remain unrebutted, and independent claim 11 is allowable for those reasons previously of record.

In contrast to the requirements of Applicants' claim 11, Reynolds discloses that it is the network administrator, rather than any feature of the invention disclosed in Reynolds, who manually selects a first signal or a second signal. Specifically, Reynolds discloses that it is the network administrator who manually notifies the NMS, as to which port or ports should be enabled and whether the transmitter and/or receiver for each port should be enabled. *See* page 84, paragraph 0808. Accordingly, Reynolds does not disclose, and is incapable of suggesting, any selection means for selecting a first or a second clock signal as a master synchronization signal, as set forth in claim 11.

In further contrast to the requirements of MPEP §707.07(f), the Examiner has not responded to the arguments set forth specifically at pages 44-45 of the Amendment filed on November 20, 2003, that that Reynolds does not disclose a selection means wherein the receiver module can select the at least one first clock signal or the second clock signal, as recited in claim 11. Accordingly, those arguments remain unrebutted by the Examiner, and independent claim 11 is allowable for those reasons previously of record.

As explained above, Reynolds discloses that it is the network administrator who manually selects a first signal or a second signal, and not any feature of the invention disclosed or suggested in Reynolds. As a result, Reynolds does not disclose, and is incapable of suggesting, a selection means wherein the receiver module can select the at least one first clock signal or the second clock signal.

Thus, Applicants respectfully submit that independent claim 11 is not anticipated by (i.e., is not readable on) Reynolds for *at least* these reasons. Further, Applicants respectfully submit that the dependent claims 14, 16-17, and 26, are allowable over Reynolds *at least* by virtue of their dependency on claim 11. Hence, Applicants respectfully request that the Examiner withdraw these rejections.

C. Independent Claim 12

Contrary to the requirements of MPEP §707.07(f), the Examiner has not responded to the arguments set forth specifically at pages 45-46 of the Amendment filed on November 20, 2003, that Reynolds does not disclose a selection means wherein the receiver module selects a clock signal as a master synchronization signal, as set forth in claim 12. Accordingly, those arguments remain unrebutted by the Examiner, and independent claim 12 is allowable for those reasons previously of record.

In contradistinction, Reynolds discloses nothing more than traffic descriptors which distinguish high priority traffic from low priority traffic, and which differentiate classes of quality of service. *See* page 18, paragraph 0211. Consequently, Reynolds does not disclose a selection means wherein the receiver module selects a clock signal as a master synchronization signal for the synchronization of an output signal of the receiver module with the external clock signal, as recited in claim 12.

Accordingly, Applicants respectfully submit that independent claim 12 is not anticipated by (i.e., is not readable on) Reynolds for *at least* these reasons. Further, Applicants respectfully submit that the dependent claims 15, 18-19, and 27, are allowable over Reynolds *at least* by

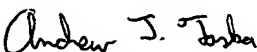
virtue of their dependency on claim 12. Therefore, Applicants respectfully request that the Examiner withdraw these rejections.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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